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Defendant.

ORDER

The court has conducted a *de novo* review of the record in this case in accordance with 28 U.S.C. §636(b)(1)(B) and (C) and Local Rule IB 3-2 and determines that the Report and Recommendation of Magistrate Judge Johnston should be affirmed.

1 IT IS THEREFORE ORDERED that Magistrate Judge's Report and Recommenda-
2 tion (#49, entered May 25, 2006) is AFFIRMED and ADOPTED, and Defendant's Motions to
3 Suppress Evidence for fourth Amendment Violation (#35) is denied

4 Dated: June 13, 2006.

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7 **ROGER L. HUNT**
8 **U.S. District Judge**
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